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C.M.P.No.13009 of 2019
in S.A.No.175 of 1994

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(Through Video Conference)

J.NISHA BANU, J.,

This Civil Miscellaneous Petition is filed to implead the petitioners as respondents 10 to 12 in the S.A.No.175 of 1994.

2. As per the report filed by the Court below, dated 21.12.2021 in D.No.1493/2021, the second petitioner namely, Soluchana was examined as P.W.1 on 29.01.2021 and on her side Ex.P.1 to Ex.P.10 were marked. The first respondent / plaintiff namely, Thangavelu was examined as R.W.1 and on his side Ex.R.1 to Ex.R3 were marked. After hearing both side arguments, the Trial Court has passed an order on 20.12.2021 and recorded that the petitioners in C.M.P.No.13009 of 2019 in S.A.No.175 of 1994 are necessary parties in the above S.A.No.175 of 1994. It was also recorded that the Trial Court found that the petitioners were also entitled to get the share of the deceased Kandasamy Gounder in the suit mentioned 4th schedule property as per the Will dated 05.05.1992.



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3. In view of the report filed by the Court below, dated 21.12.2021, the petitioners in C.M.P.No.13009 of 2019 are impleaded as necessary parties and with regard to the issue as to whether they are entitled to get the share of the deceased Kandasamy Gounder in the suit mentioned 4th schedule property as per the Will dated 05.05.1992, will be decided only at the time of final hearing of this Second Appeal.

4. Post the matter during the first week of February 2022, for 'final hearing.

19.01.2022

Note: Registry is directed to carry out the necessary amendments in the cause title.

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